

Felony

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America
v.

Ricardo A. GARCIA
YOB: 1964 Citizenship: USC

Defendant(s)

Case No.

B-14-873-MJ

United States District Court
Southern District of Texas
FILED

SEP 18 2014

CRIMINAL COMPLAINT

David J. Bradley, Clerk of Court

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 17, 2014 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2252A (a) (2) (A)

Receipt of Child Pornography

18 U.S.C. § 2252A (a) (5) (B)

Possession of Child Pornography

This criminal complaint is based on these facts:

On January 8, 2014, at approximately 10:50 a.m., Homeland Security Investigations, McAllen, Texas, Special Agent (SA) Richard L. Ullrich began an Internet investigation to identify persons using the peer-to-peer (P2P) software on the Internet to traffic in child pornography.

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

[Signature]

Complainant's signature

Roy Castillo, U.S. HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 9/18/2014

[Signature]

Judge's signature

City and state: Brownsville, Texas

U.S. Magistrate Judge Ignacio Torteya

Printed name and title

SEP 18 2014

Attachment "A"**David J. Bradley**, Clerk of Court

On January 8, 2014, at approximately 10:50 a.m., Department of Homeland Security, Homeland Security Investigation (HSI), McAllen, Texas, Special Agent (SA) Richard L. Ullrich began an Internet investigation to identify persons using the peer-to-peer (P2P) software on the Internet to traffic in child pornography. SA Ullrich identified a computer, located at Internet Protocol (IP) 24.167.53.72 as offering to participate in the distribution of movies with titles that were suggestive of child pornography. Further investigation performed on IP 24.167.53.72 revealed that the same IP address was utilized from the residence of Ricardo GARCIA in McAllen, Texas.

On September 17, 2014, HSI McAllen, Texas, executed a federal search warrant on the GARCIA residence in McAllen, Texas. During the execution of the search warrant agents encountered Ricardo GARCIA at the residence. The search warrant was executed without incident resulting in the seizure of 1 computer and multiple storage media devices.

On September 17, 2014, Ricardo GARCIA was interviewed by SA Ullrich and SA Roy Castillo. GARCIA was read his rights in English by SA Castillo from a preprinted form, as witnessed by SA Ullrich. GARCIA stated that he understood his rights, waived his rights, and agreed to an interview.

GARCIA stated that he did download child pornography from the Internet and was currently in possession of child pornography within his computer. He further stated that he was aware that it was illegal to possess images and movies of child pornography. GARCIA additionally stated that he was aware that the child pornography videos in his computer would be shared with other users.

An onsite preliminary computer forensics examination review of GARCIA's computer revealed a folder which contained numerous video files of child pornography.

Assistant United States Attorney Kim Leo was briefed regarding the aforementioned and Federal Prosecution was accepted.